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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jimmy Thornton, et al.  
Serial No. : 09/955,582  
Filed : September 18, 2001  
Group : 1743  
Examiner : Unknown  
Title : REAL-TIME COMBUSTION CONTROLS AND DIAGNOSTICS  
SENSORS (CCADS)

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**DECLARATION AND STATEMENT OF AUTHENTICITY  
OF BETTY A. WINCHESTER  
IN SUPPORT OF PETITION U/37 CFR § 1.181  
TO RESTART PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D. C. 20231

ATTN: Petitioners Examiner

Sir:

I, Betty A. Winchester, hereby declare:

That I am a Paralegal Specialist in the Office of the Assistant General Counsel  
for Technology Transfer and Intellectual Property of the United States Department of  
Energy;

That I was in that position in October 2001;

That my duties at that time included the processing of all domestic Notices,  
Office Actions and other forms of Communications received from the U.S. Patent and  
Trademark Office (PTO);

That our office procedure is that all such Notices would be delivered to me by the  
person who opens the mail, unless I personally opened the mail, in which case I take  
them to my desk;

That I maintain a computerized record of all received Office Actions and other papers from the U.S. Patent and Trademark Office (PTO);

That I maintain a file wrapper record of all received Office Actions and other PTO documents;

That upon receiving an Office Action from the PTO, I enter the action code and the due date into the computer;

That upon receiving an Office Action from the PTO, I would place a copy of the Action in the file and enter a record of that paper on the front of the file wrapper;

That attached hereto as **Exhibit A** is a copy of our file wrapper record of application serial number 09/955,582, showing that the non-provisional application was filed on September 18, 2001, and that there were no further notices or communications received from the United States Patent and Trademark Office, until receipt on 1/3/2002 of the Official Filing Receipt and the Notice to File Missing Parts of Nonprovisional Application dated 10/29/2001;

That if a Notice for application serial number 09/955,582 had been delivered to me in October/November 2001, I would have processed it as stated above;

That I hereby declare that no such Notice for application serial number 09/955,582, was ever delivered to me or was ever in any mail opened by me until its receipt on 1/3/2002;

That as an employee of the Department of Energy I was informed that, in response to terrorist activities, all mail to the Department of Energy was discontinued on October 21, 2001 and not reinstated until November 19, 2001, with further continuing delays caused by the sanitizing of all mail for possible anthrax contamination through a facility in Ohio prior to delivery;

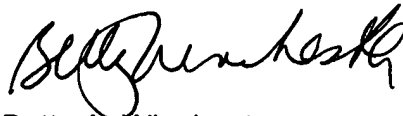
That delivery of mail to the Department of Energy is only being delivered after sanitization and once received is being processed immediately by me.

I also hereby authenticate the attached copy of the Official Filing Receipt and the Notice to File Missing Parts of Nonprovisional application dated 10/29/2001 is a true copy of the original received by the Department of Energy which shows DOE's incoming mail stamp on 1/3/2002 (**Exhibit B**);

That I acknowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of application serial number 09/955,582 or any patent which may be issue thereon.

That all statements made herein are of my own knowledge and belief are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,



Betty A. Winchester  
Paralegal Specialist  
Office of the Assistant General Counsel  
for Technology Transfer and  
Intellectual Property

Attachment:  
Exhibits A&B

Washington, D. C.  
202-586-2810

Dated: January 17, 2002